

AO 440 (Rev. 8/01) Summons in a Civil Action

JUDGE CEDARBAUM

UNITED STATES DISTRICT COURT

Southern

District of

New York

DANIELLE BOBIN, Individually and on behalf of
Herself and All Others Similarly Situated,

Plaintiff,

V.

LAGARDÈRE SA, DAIMLER AG, RALPH D.
CROSBY, JR., and JOHN LEAHY,

Defendants.

08

CIV 5383
SUMMONS IN A CIVIL ACTION

CASE NUMBER:

TO: (Name and address of Defendant)

Lagardère S.A.
c/o Lagardère Group North America
1633 Broadway, Fl. 45
New York, NY 10019-6708

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Brian C. Kerr
DREIER LLP
499 Park Avenue
New York, NY 10022
(212) 328-6100

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By) DEPUTY CLERK

JUN 12 2008

DATE

COURT UNITED STATES DISTRICT COURT
COUNTY OF SOUTHERN DISTRICT OF NEW YORK

DANIELLE BOBIN, INDIVIDUALLY AND ON BEHALF OF HERSELF
AND ALL OTHERS SIMILARLY SITUATED

Plaintiff(s)

against

LAGARDERE SA, DAIMLER AG, RALPH D. CROSBY, JR., AND
JOHN LEAHY

Defendant(s)

Index No. 08 CIV 5383

**AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)**

SEE ATTACHED RIDER

STATE OF NEW YORK, COUNTY OF NEW YORK SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at CORONA, NEW YORK
That on 6/13/08 at 4:38 P.M., at 1633 BROADWAY, NEW YORK, NEW YORK
deponent served the within summons, and complaint on defendant therein named,

SEE ATTACHED RIDER

LAGARDERE S.A.
C/O LAGARDERE GROUP NORTH AMERICA

INDIVIDUAL by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as
1. ☐ said defendant therein.
CORPORATION a DOMESTIC corporation, by delivering thereat a true copy of each to KATHERINE DANIELS
2. ☒ personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be MANAGING AGENT thereof.
SUITABLE AGE PERSON by delivering thereat a true copy of each to a person of suitable age
3. ☐ and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
AFFIXING TO DOOR, ETC. by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—
4. ☐ usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 4

5A. ☐

MAILING TO
BUSINESS
USE WITH 3 OR 4

5B. ☐

DESCRIPTION
USE WITH
1, 2, OR 3

☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input checked="" type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input checked="" type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.

☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE

☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on
6/16/08

JOHN DICANIO
Notary Public, State of New York
No. 01Di4577768
Qualified in Westchester County
Commission Expires Feb. 11, 2011

PRINT NAME BENEATH SIGNATURE
JUAN D. AGUIRRE

License No. 843839

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
DANIELLE BOBIN, INDIVIDUALLY AND ON BEHALF OF
HERSELF AND ALL OTHERS SIMILARLY SITUATED

Case No. 08 CIV. 5383

Plaintiffs

-against-

**RIDER TO
AFFIDAVIT OF SERVICE**

LAGARDERE SA, DAIMLER AG, RALPH D. CROSBY, JR.,
AND JOHN LEAHY

Defendants,

-----X

List Of Documents Served:

- Summons In A Civil Action;
- Complaint For Violation Of The Federal Securities Laws;
- Rule 7.1 Statement;
- Civil Cover Sheet;
- Individual Practices Of Judge Miriam Goldman Cedarbaum;
- Individual Practices Of Magistrate Judge Theodore H. Katz;
- Electronic Case Filing Rules & Instructions.